



United States Department of the Interior

Bureau of Land Management

New Mexico State Office

1474 Rodeo Road

P.O. Box 27115

Santa Fe, New Mexico 87502-0115

www.nm.blm.gov

In Reply Refer To:
2400 (93000) P

April 30, 2002

EMS Transmission –4/30/02
Instruction Memorandum No. NM 2002-
Expires: 9/30/2003

To: FM's

From: DSD, Resource Planning, Use, and Protection

Subject: Compliance with Classification Requirements of the Taylor Grazing Act

Classification requirements of Section 1 of the Taylor Grazing Act (TGA) and Executive Order (EO) No. 6910, as amended, withdrew all lands in New Mexico from disposal pending a determination that the land is more valuable for a use other than grazing or the production of forage crops. The withdrawn public land may be disposed of when the appropriate official makes the finding and determination provided by Section 7 of the TGA.

Current regulations in the planning process do not cover the use findings required by the TGA and the EO. Because many in the Bureau believe that the disposal authorities of the Federal Land Policy and Management Act (FLPMA) are not subject to the classification process provided in Section 7 of the TGA, we have received no instruction from the Washington Office on how to deal with this issue.

In order to ensure that all New Mexico FLPMA disposals are not protested or delayed because of this classification issue, we will take the following action for all sales, airport patents, and exchanges in New Mexico:

In all Notices of Realty Action and Notices of Decision for Exchange, include a paragraph

in the Notice with the following wording:

“In accordance with Section 7 of the Taylor Grazing Act, 43 U.S.C. 315f, and Executive Order No. 6910, the described land(s) (is) (are) hereby classified for disposal by (sale)(exchange).”

This new wording should be implemented immediately and should be used for all new Notices as well as for Notices in pending disposal cases.

Please contact Clarence Hougland at 505-438-7593 if you have questions or need further clarification.

Signed by:
Carsten F. Goff

Authenticated by:
Marcy Romero
Staff Assistant

Distribution

WO (350), LS, Rm. 1000 - 1
AZ (910) - 1
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930:CHougland:04/26/2002:x7593:IM on Classification